

Remarks:

The above amendments and these remarks are responsive to the Office action dated JUNE 3, 2005. Prior to entry of the present Amendment, claims 1-25 remained pending in the present application.

Claims 1-11, 13-17 and 19-25 stand rejected under 35 USC §102(e) based on Simpson et. al. (US Pub. No. US 2003/0084178). Claims 12 and 18 have been indicated allowable if rewritten in independent form. Applicants respectfully traverses the rejection for the reasons set forth below.

Regarding the rejection of claims under 35 USC §102(e) based on Simpson et. al., Applicants note the Examiner's indication that the rejection may be overcome by an appropriate showing under 37 CFR §1.132. Applicants' Declaration Under §1.132 is provided herewith, indicating that aspects of the present invention that were disclosed in Simpson et. al. were derived from the inventors of this application. It is noted that one inventor, Shell S. Simpson, is presently unavailable to sign this declaration. Accordingly, Simpson et. al. is not prior art "by another", and the rejection under 35 USC §102(e) based on Simpson et. al. should be withdrawn.

Regarding claims 12 and 18, Applicants agree with the Examiner's conclusions regarding the patentability of these claims.

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in

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any way advance prosecution of the application, please contact the undersigned attorney of record.

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